

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

- F044354** **People v. Johnson**
Appellant's petition for rehearing filed herein is denied.
- F046580** **In re B. Z. et al., Minors**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F046580** **In re B. Z. et al., Minors**
The orders terminating parental rights are affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F047405** **Donnie C. v. The Superior Court of Tulare County; Tulare County Health and Human Services Agency**
The petition for extraordinary writ is dismissed. The opinion is final forthwith as to this court.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F044476** **People v. Wedel et al.**
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.
- F044476** **People v. Wedel et al.**
The judgment is affirmed. Ardaiz, P.J.
We concur: Dibiaso, J.; Vartabedian, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F043820** **People v. Jackson**
Filed modification of opinion (no change in judgment). Wiseman, Acting P.J.
I concur: Cornell, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F047193 Rochelle M. v. The Superior Court of Tulare County; Tulare Co. Health & Human Services Agency

The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045732 People v. Moore

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F045732 People v. Moore

The judgment is reversed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044896 Protect Our Water et al. v. County of Merced et al.

The above-entitled case is submitted for decision.

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F047501 In re Anna D., a Minor; Fresno County Department of Children and Family Services v. Jimelle W.

The order terminating parental rights is reversed and the matter remanded to the juvenile court with directions to comply with the notice requirements contained in ICWA and California Rules of Court, rule 1439. If the juvenile court thereafter finds the department has so complied, the court shall then determine whether ICWA applies in the dependency case of De Anna D. Should the juvenile court conclude that ICWA does not apply, the court shall reinstate its findings and orders terminating parental rights. In contrast, if the juvenile court concludes that ICWA does apply, the court shall proceed in the accordance with ICWA, including but not limited to, giving the Tribe the opportunity to intervene in the proceedings and assert its position in the case. In the event the Tribe does not intervene, the juvenile court will conduct a new Welfare and Institutions Code, section 366.26 hearing in compliance with ICWA substantive requirements.

It is further ordered that the remittitur to issue forthwith.

F042190 People v. Singanoh

The above-entitled case is submitted for decision.

F045242 People v. Aleman et al.

F045267 People v. Aleman et al.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F045242 **People v. Aleman et al.**

F045267 **People v. Aleman et al.**

The \$20 security fee imposed pursuant to section 1465.8 is stricken. As modified, the judgment is affirmed. The court is directed to prepare an amended abstract of judgment indicating that the section 1465.8 fee is stricken and forward a copy of the amended abstract to the Department of Corrections.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F036961 **People v. Howard**

Pursuant to California Rules of Court, rule 23(d)(2), the above entitled matter is deemed submitted as of April 25, 2005.